

Supreme Court, U. S.  
FILED

JUN 15 1972

MICHAEL RODAK, JR., CLERK

IN THE

**SUPREME COURT OF THE UNITED STATES**

October Term, 1971

No. 71-1082

**REUBIN O'D. ASKEW, ET AL.,**  
vs. *Appellants*

**THE AMERICAN WATERWAYS  
OPERATORS, INC., ET AL.,**  
*Appellees*

ON APPEAL FROM THE UNITED STATES  
DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF FLORIDA

**BRIEF OF THE STATE OF TEXAS AS  
AMICUS CURIAE**

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**INTEREST OF AMICUS CURIAE**

The State of Texas has a coastline on the Gulf of Mexico of about 374 miles and a shoreline of about 1,000 miles on the bays and inlets of the Gulf of Mexico. The State of Texas owns 2,888,000 acres of land in its territorial waters in the Gulf of Mexico and 1,516,970 acres of land in its bays and inlets adjoining the Gulf of Mexico. (Figures from the General Land Office of Texas.)

Three major industries of the coastal area of Texas are tourist and recreational, fishing, and oil and gas. The value of the out-of-state automobile tourist busi-

ness to the coastal area of the State of Texas alone was over \$326,000,000 in 1971 (Texas Visitor Industry, 1971, compiled and published by Texas Highway Department, Travel and Information Division). The value of commercial landings of fish in Texas ports for 1971 was over \$70,037,000 (Fisheries of the United States, 1971, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service). The monthly value from oil and gas royalties payable to the State of Texas is approximately \$900,000 from bay production and \$200,000 from Gulf of Mexico production (Figures from General Land Office).

Because of the State of Texas' concern with the protection and preservation of its coastal waters, and the health and welfare of its people who live not only in proximity to them but also who live in the rest of the State and depend upon the Texas coastal region for recreation and sustenance, the State of Texas respectfully files this brief as *amicus curiae*.

### **QUESTIONS PRESENTED**

The State of Texas adopts the Questions Presented in the brief of the State of Georgia as *amicus curiae*.

### **ARGUMENT**

The State of Texas adopts the argument contained in the brief of the State of Georgia as *amicus curiae*.

### **CONCLUSION**

The State of Texas prays the Court to grant the relief prayed for by the State of Florida in its brief.

Respectfully submitted,

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